

MESSAGE NO: 8221207 MESSAGE DATE: 08/07/2008

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 8212206
MESSAGE #
(s):

CASE #(s): C-570-911

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/15/2007 TO 11/13/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: CORRECTION TO THE LANGUAGE AND SPECIFICATIONS OF SCOPE IN MESSAGE
8221206, LIQ. INST. & ORDER FOR CIRCULAR WELDED CARBON QUALIY STEEL PIPE
FROM CHINA (C-570-911)

MESSAGE NO: 8221207

DATE: 08 07 2008

CATEGORY: CVD

TYPE: LIQ

REFERENCE: 8212206

REFERENCE DATE: 07 30 2008

CASES: C - 570 - 911

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PERIOD COVERED: 08 15 2007 TO 11 13 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: CORRECTION TO THE LANGUAGE AND SPECIFICATIONS OF SCOPE
IN MESSAGE 8221206, LIQ. INST. & ORDER FOR CIRCULAR
WELDED CARBON QUALIY STEEL PIPE FROM CHINA (C-570-911)

1. ON JULY 22, 2008, THE DEPARTMENT OF COMMERCE PUBLISHED IN
THE FEDERAL REGISTER (73 FR 42545) THE NOTICE OF AMENDED FINAL
AFFIRMATIVE COUNTERVAILING DUTY DETERMINATION AND NOTICE OF
COUNTERVAILING DUTY ORDER IN THE COUNTERVAILING DUTY
INVESTIGATION OF CIRCULAR WELDED CARBON QUALITY STEEL PIPE FROM
CHINA (C-570-911). THIS IS A CORRECTION OF PARAGRAPH 2 IN
MESSAGE 8212206, DATED JULY 30, 2008, OF THE SCOPE OF THE
MERCHANDISE COVERED BY ORDER.

2. IN PARAGRAPH 2 OF MESSAGE 8212206, THE DEPARTMENT EXCLUDED LANGUAGE ABOUT THE EXACT SPECIFICATIONS OF THE MERCHANDISE COVERED. THE INTENT OF THESE CORRECTION INSTRUCTIONS IS TO NOTIFY CBP OF OUR INTENT TO CORRECT THE SCOPE OF MERCHANDISE COVERED BY THIS ORDER.

3. PARAGRAPH 2 OF MESSAGE 8212206 CURRENTLY READS AS FOLLOWS:

THE MERCHANDISE COVERED BY THIS ORDER INCLUDES CERTAIN WELDED CARBON QUALITY STEEL PIPES AND TUBES, OF CIRCULAR CROSS-SECTION, AND WITH AN OUTSIDE DIAMETER OF 0.372 INCHES (9.45 MM) OR MORE, BUT NOT MORE THAN 16 INCHES (406.4 MM), WHETHER OR NOT STENCILED, REGARDLESS OF WALL THICKNESS, SURFACE FINISH (E.G., BLACK, GALVANIZED, OR PAINTED), END FINISH (E.G., PLAIN END, BEVELED END, GROOVED, THREADED, OR THREADED AND COUPLED), OR INDUSTRY SPECIFICATION (E.G., ASTM, PROPRIETARY, OR OTHER), GENERALLY KNOWN AS STANDARD PIPE AND STRUCTURAL PIPE (THEY MAY ALSO BE REFERRED TO AS CIRCULAR, STRUCTURAL, OR MECHANICAL TUBING).

SPECIFICALLY, THE TERM CARBON QUALITY INCLUDES PRODUCTS IN WHICH (A) IRON PREDOMINATES, BY WEIGHT, OVER EACH OF THE OTHER CONTAINED ELEMENTS; (B) THE CARBON CONTENT IS 2 PERCENT OR LESS, BY WEIGHT; AND (C) NONE OF THE ELEMENTS LISTED BELOW EXCEEDS THE QUANTITY, BY WEIGHT, AS INDICATED:

- (I) 1.80 PERCENT OF MANGANESE;
- (II) 2.25 PERCENT OF SILICON;
- (III) 1.00 PERCENT OF COPPER;
- (IV) 0.50 PERCENT OF ALUMINUM;
- (V) 1.25 PERCENT OF CHROMIUM;
- (VI) 0.30 PERCENT OF COBALT;
- (VII) 0.40 PERCENT OF LEAD;
- (VIII) 1.25 PERCENT OF NICKEL;
- (IX) 0.30 PERCENT OF TUNGSTEN;
- (X) 0.15 PERCENT OF MOLYBDENUM;

- (XI) 0.10 PERCENT OF NIOBIUM;
- (XII) 0.41 PERCENT OF TITANIUM;
- (XIII) 0.15 PERCENT OF VANADIUM; OR
- (XIV) 0.15 PERCENT OF ZIRCONIUM.

STANDARD PIPE IS MADE PRIMARILY TO AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) SPECIFICATIONS, BUT CAN BE MADE TO OTHER SPECIFICATIONS. STANDARD PIPE IS MADE PRIMARILY TO ASTM SPECIFICATIONS A-53, A-135, AND A-795. STRUCTURAL PIPE IS MADE PRIMARILY TO ASTM SPECIFICATIONS A-252 AND A-500. STANDARD AND STRUCTURAL PIPE MAY ALSO BE PRODUCED TO PROPRIETARY SPECIFICATIONS RATHER THAN TO INDUSTRY SPECIFICATIONS. THIS IS OFTEN THE CASE, FOR EXAMPLE, WITH FENCE TUBING. PIPE MULTIPLE-STENCILED TO A STANDARD AND/OR STRUCTURAL SPECIFICATION AND TO ANY OTHER SPECIFICATION, SUCH AS THE AMERICAN PETROLEUM INSTITUTE (API) API-5L OR 5L X-42 SPECIFICATIONS, IS ALSO COVERED BY THE SCOPE OF THIS ORDER WHEN IT MEETS THE PHYSICAL DESCRIPTION SET FORTH ABOVE AND ALSO SATISFIES ONE OR MORE OF THE FOLLOWING CHARACTERISTICS: IS A SINGLE RANDOM LENGTH; LESS THAN 2.0 INCHES (50 MM) IN OUTSIDE DIAMETER; HAS A GALVANIZED AND/OR PAINTED SURFACE FINISH; OR HAS A THREADED AND/OR COUPLED END FINISH.

THE SCOPE OF THIS ORDER DOES NOT INCLUDE: (A) PIPE SUITABLE FOR USE IN BOILERS, SUPERHEATERS, HEAT EXCHANGERS, CONDENSERS, REFINING FURNACES AND FEEDWATER HEATERS, WHETHER OR NOT COLD DRAWN; (B) MECHANICAL TUBING, WHETHER OR NOT COLD-DRAWN; (C) FINISHED ELECTRICAL CONDUIT; (D) FINISHED SCAFFOLDING; (E) TUBE AND PIPE HOLLWS FOR REDRAWING; (F) OIL COUNTRY TUBULAR GOODS PRODUCED TO API SPECIFICATIONS; AND (G) LINE PIPE PRODUCED TO ONLY API SPECIFICATIONS.

THE PIPE PRODUCTS THAT ARE THE SUBJECT OF THIS ORDER ARE CURRENTLY CLASSIFIABLE IN HTSUS STATISTICAL REPORTING NUMBERS 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, 7306.30.50.90, 7306.50.10.00, 7306.50.50.50, 7306.50.50.70, 7306.19.10.10, 7306.19.10.50,

7306.19.51.10, AND 7306.19.51.50. HOWEVER, THE PRODUCT DESCRIPTION, AND NOT THE HTSUS CLASSIFICATION, IS DISPOSITIVE OF WHETHER MERCHANDISE IMPORTED INTO THE UNITED STATES FALLS WITHIN THE SCOPE OF THE ORDER.

INSTEAD, PARAGRAPH 2 OF MESSAGE NUMBER 8212206 SHOULD READ AS FOLLOWS:

THE SCOPE OF THIS ORDER COVERS CERTAIN WELDED CARBON QUALITY STEEL PIPES AND TUBES, OF CIRCULAR CROSS-SECTION, AND WITH AN OUTSIDE DIAMETER OF 0.372 INCHES (9.45 MM) OR MORE, BUT NOT MORE THAN 16 INCHES (406.4 MM), WHETHER OR NOT STENCILED, REGARDLESS OF WALL THICKNESS, SURFACE FINISH (E.G., BLACK, GALVANIZED, OR PAINTED), END FINISH (E.G., PLAIN END, BEVELED END, GROOVED, THREADED, OR THREADED AND COUPLED), OR INDUSTRY SPECIFICATION (E.G., ASTM, PROPRIETARY, OR OTHER), GENERALLY KNOWN AS STANDARD PIPE AND STRUCTURAL PIPE (THEY MAY ALSO BE REFERRED TO AS CIRCULAR, STRUCTURAL, OR MECHANICAL TUBING).

SPECIFICALLY, THE TERM CARBON QUALITY INCLUDES PRODUCTS IN WHICH (A) IRON PREDOMINATES, BY WEIGHT, OVER EACH OF THE OTHER CONTAINED ELEMENTS; (B) THE CARBON CONTENT IS 2 PERCENT OR LESS, BY WEIGHT; AND (C) NONE OF THE ELEMENTS LISTED BELOW EXCEEDS THE QUANTITY, BY WEIGHT, AS INDICATED:

- (I) 1.80 PERCENT OF MANGANESE;
- (II) 2.25 PERCENT OF SILICON;
- (III) 1.00 PERCENT OF COPPER;
- (IV) 0.50 PERCENT OF ALUMINUM;
- (V) 1.25 PERCENT OF CHROMIUM;
- (VI) 0.30 PERCENT OF COBALT;
- (VII) 0.40 PERCENT OF LEAD;
- (VIII) 1.25 PERCENT OF NICKEL;
- (IX) 0.30 PERCENT OF TUNGSTEN;
- (X) 0.15 PERCENT OF MOLYBDENUM;
- (XI) 0.10 PERCENT OF NIOBIUM;
- (XII) 0.41 PERCENT OF TITANIUM;
- (XIII) 0.15 PERCENT OF VANADIUM; OR

(XIV) 0.15 PERCENT OF ZIRCONIUM.

STANDARD PIPE IS MADE PRIMARILY TO AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) SPECIFICATIONS, BUT CAN BE MADE TO OTHER SPECIFICATIONS. STANDARD PIPE IS MADE PRIMARILY TO ASTM SPECIFICATIONS A-53, A-135, AND A-795. STRUCTURAL PIPE IS MADE PRIMARILY TO ASTM SPECIFICATIONS A-252 AND A-500. STANDARD AND

STRUCTURAL PIPE MAY ALSO BE PRODUCED TO PROPRIETARY SPECIFICATIONS RATHER THAN TO INDUSTRY SPECIFICATIONS. THIS IS OFTEN THE CASE, FOR EXAMPLE, WITH FENCE TUBING.

PIPE MULTIPLE-STENCILED TO A STANDARD AND/OR STRUCTURAL SPECIFICATION AND TO ANY OTHER SPECIFICATION, SUCH AS THE AMERICAN PETROLEUM INSTITUTE (API) API-5L SPECIFICATION, IS ALSO COVERED BY THE SCOPE OF THIS INVESTIGATION WHEN IT MEETS THE PHYSICAL DESCRIPTION SET FORTH ABOVE AND ALSO HAS ONE OR MORE OF THE FOLLOWING CHARACTERISTICS: IS 32 FEET IN LENGTH OR LESS; IS LESS THAN 2.0 INCHES (50 MM) IN OUTSIDE DIAMETER; HAS A GALVANIZED AND/OR PAINTED SURFACE FINISH; OR HAS A THREADED AND/OR COUPLED END FINISH. (THE TERM PAINTED DOES NOT INCLUDE COATINGS TO INHIBIT RUST IN TRANSIT, SUCH AS VARNISH, BUT INCLUDES COATINGS SUCH AS POLYESTER.)

THE SCOPE OF THIS ORDER DOES NOT INCLUDE: (A) PIPE SUITABLE FOR USE IN BOILERS, SUPERHEATERS, HEAT EXCHANGERS, CONDENSERS, REFINING FURNACES AND FEEDWATER HEATERS, WHETHER OR NOT COLD DRAWN; (B) MECHANICAL TUBING, WHETHER OR NOT COLD-DRAWN; (C) FINISHED ELECTRICAL CONDUIT; (D) FINISHED SCAFFOLDING; (E) TUBE AND PIPE HOLLOWS FOR REDRAWING; (F) OIL COUNTRY TUBULAR GOODS PRODUCED TO API SPECIFICATIONS; AND (G) LINE PIPE PRODUCED TO ONLY API SPECIFICATIONS.

THE PIPE PRODUCTS THAT ARE THE SUBJECT OF THIS ORDER ARE CURRENTLY CLASSIFIABLE IN HTSUS STATISTICAL REPORTING NUMBERS 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, 7306.30.50.90, 7306.50.10.00, 7306.50.50.50, 7306.50.50.70, 7306.19.10.10, 7306.19.10.50,

7306.19.51.10, AND 7306.19.51.50. HOWEVER, THE PRODUCT DESCRIPTION, AND NOT THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) CLASSIFICATION, IS DISPOSITIVE OF WHETHER MERCHANDISE IMPORTED INTO THE UNITED STATES FALLS WITHIN THE SCOPE OF THE ORDER.

4. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O1:DJF).

5. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party